

105.015

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MARK TURULSKI, SR.

Plaintiff

vs.

AMTRAK

Defendant

CIVIL ACTION

NO. 06-245

JURY TRIAL DEMANDED  
12 JURORS REQUESTED

**RESPONSE OF DEFENDANT, AMTRAK TO PLAINTIFF'S MOTION TO COMPEL  
IDENTIFICATION AND LOCATION OF WITNESS FILED BY  
PLAINTIFF DECEMBER 27, 2006**

Defendant, Amtrak is not aware of the identification of Officer Aquilla. Officer Aquilla is not an employee of Defendant Amtrak. Despite thorough reviews of Defendant Amtrak's records and file, Officer Aquilla has never been employed by Defendant Amtrak and therefore, Defendant Amtrak is unable to produce the information requested by the Plaintiff.

Defendant Amtrak requests that this Honorable Court deny Plaintiff's Motion to Compel Defendant Amtrak to obtain address and information and badge number regarding Officer Aquilla.

**GALLAGHER & ROWAN, P.C.**

By: /s/Jessica E. Gensler Lippy

JESSICA E. GENSLER LIPPY, ESQUIRE

DSB #4426

PAUL F. X. GALLAGHER, ESQUIRE

Attorney for Defendant Amtrak

SILVERSIDE CARR EXECUTIVE CENTER

501 SILVERSIDE ROAD

SUITE 94  
WILMINGTON, DE 19809  
(302) 798-2779

DATE: January 5, 2007

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**CERTIFICATE OF SERVICE**

I, Jessica E. Gensler Lippy, as attorney for Defendant Amtrak in the above captioned matter, herein certify that I caused a true and correct copy of Defendant Amtrak's Response to Plaintiff's Motion to Compel Identification and Location of Witness Filed by Plaintiff December 27, 2006, to be served upon Plaintiff as listed below on January 5, 2007, via US Mail:

Mark Turulski, Sr.  
P.O. Box 3145  
Wilmington, DE 19804-3145

**GALLAGHER & ROWAN, P.C.**

By: /s/Jessica E. Gensler Lippy  
JESSICA E. GENSLER LIPPY, ESQUIRE  
DSB #4426  
PAUL F. X. GALLAGHER, ESQUIRE  
Attorney for Defendant Amtrak  
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